

### AMENDMENT III TO PROFESSIONAL SERVICES CONTRACT

THIS AMENDMENT to Professional Services Contract (hereinafter "Amendment") made this 24<sup>th</sup> day of January 2016, in the Territory of the Virgin Islands, by and between the **GOVERNMENT OF THE VIRGIN ISLANDS, DEPARTMENT OF PROPERTY AND PROCUREMENT**, on behalf of the **DEPARTMENT OF EDUCATION**, 1834 Kongens Gade, St. Thomas, Virgin Islands 00802-6746 (hereinafter referred to as "Government") and **MILESTONE HEALTHCARE, LLC d/b/a MILESTONE STAFFING SERVICES**, 2435 N. Central Expressway, Suite 1420, Richardson, TX 75080 (hereinafter referred to as "Contractor"). The Government and the Contractor are collectively referred to as the "Parties."

#### WITNESSETH:

**WHEREAS**, the Parties entered into a contract for Professional Services, No. PC043DOE13 ("Contract"), executed on September 1, 2012, as subsequently amended by Amendment I to Professional Services Contract No. PC131DOE14 by and between the Parties dated September 2, 2014, and Amendment II to Professional Services Contract No. PC080DOE15 dated September 18, 2015; and

**WHEREAS**, under the Contract the Contractor supplies the Department of Education ("VIDE" or the "Department"), Offices of Special Education with Physical Therapists, Occupational Therapists, Speech Language Pathologists/Therapists, Vision Specialists/Teachers, Assistive Technology assistants, Speech Therapist Assistants, Occupational Therapist Assistants, Sign Language Interpreters, and any other therapists ("Therapists") specified by the Department who will provide related services to designated special education students ages three to twenty-one (3-21) in accordance with their Individualized Education Programs (IEPs) in the St. Thomas-St. John and St. Croix School Districts; and

**WHEREAS**, the expiration date of the Contract is August 31, 2017; and

**WHEREAS**, the Parties wish to amend the Contract to accommodate the changed needs of the Department for particular therapists needed for the 2015-2016 School Year in accordance with Addendum I, (Scope of Work) DUTIES OF PARTIES; and

**WHEREAS**, the subject Amendment to Professional Services Contract shall require an increase in compensation of **One Hundred Ninety-Six Thousand, Four Hundred Sixteen Dollars and Zero Cents (\$196,416.00)** increasing the total contract amount not to exceed **Eight Million, Twenty-Eight Thousand, Four Hundred Fifty-Six Dollars and Zero Cents (\$8,028,456.00)**.

**NOW, THEREFORE,** the Parties agree that the Contract is amended as follows:

1. Paragraph 3 (Compensation) of the Contract is amended to state the following:

“The Government, in consideration of the satisfactory performance of the services described in ADDENDUM I (Scope of Work) agrees to pay Contractor in an amount not to exceed, **Eight Million, Twenty-Eight Thousand, Four Hundred Fifty-Six Dollars and Zero Cents (\$8,028,456.00)** in accordance with the provisions set forth in AMENDMENT TO ADDENDUM II (Compensation) attached hereto, incorporated herein and made a part of this contract by reference.”

2. Paragraph 34 (ADDENDA AND ATTACHMENTS) of the Contract is amended to state the following:

“ADDENDUM I (Scope of Work), AMENDMENT III TO ADDENDUM II (Compensation), and the Contractor’s eligibility documents attached hereto, is a part of this Contract, and is incorporated herein by reference.”

3. AMENDMENT II TO ADDENDUM II (Compensation) of the Contract is deleted in its entirety and replaced by the attached AMENDMENT III TO ADDENDUM II (Compensation) outlining the compensation to be paid Contractor for the services described in ADDENDUM I (Scope of Work), in the amount not to exceed **Eight Million, Twenty-Eight Thousand, Four Hundred Fifty-Six Dollars and Zero Cents (\$8,028,456.00)**
4. This Amendment of the Professional Services Contract is subject to the approval of the Governor of the Virgin Islands and the appropriation and availability of funds.
5. Except as expressly amended herein, all other terms and conditions of the Contract remain in full force and effect.

IN WITNESS WHEREOF, the parties intending to be legally bound have hereunto set their hands on the day and year first above written.

WITNESSES:

Leanne L. Dwyer

GOVERNMENT OF THE VIRGIN ISLANDS  
DEPARTMENT OF PROPERTY AND PROCUREMENT

Randolph Bennett  
Commissioner Designee

12/21/15  
Date

DEPARTMENT OF EDUCATION

Sharon A. McCollum 12/4/2015

Sharon A. McCollum, PhD  
Commissioner

12/4/15  
Date

CONTRACTOR  
MILESTONE HEALTHCARE, LLC d/b/a  
MILESTONE STAFFING SERVICES

Lenni Wines

John Fromme  
Director of Operations

11/25/15  
Date

APPROVED:

Kenneth E. Mapp

Kenneth E. Mapp  
Governor of the Virgin Islands

1-29-16  
Date

APPROVED FOR LEGAL SUFFICIENCY

By Department of Justice:

Tamara Smith

12/17/15  
Date

Account Code No. \_\_\_\_\_

Purchase Order No.: \_\_\_\_\_